

**REMARKS**

Claims 1, 4-19, 21, 24-36, 39-51, and 54-65 are pending in the application.

Claims 2-3, 22-23, 37-38, and 52-53 have been canceled.

Claims 11, 13-15, 21, 31-35, 43, 46-47, 49-50, 61-62, and 64-65 have been amended to correct minor typographical errors in the claims. No new matter has been added.

Claims 1-19 and 21-65 stand rejected.

**Rejection of Claims under 35 U.S.C. §103**

Claims 1-15 and 21-65 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ogier, U.S. Patent 7,031,288 (hereinafter referred to as “Ogier”), in view of Perlman et al., U.S. Patent 5,805,818 (hereinafter referred to as “Perlman”). Applicants respectfully traverse this rejection.

**The cited art fails to anticipate, teach, or suggest “receiving a first unreliable packet”**

The Office Action mailed October 4, 2006 (hereinafter referred to as “Office Action”) relies upon the HELLO message of Ogier to teach the unreliable packet of claim 1. “Ogier’s user of HELLO messages fall within the scope of the applicant’s invention because the HELLO messages utilized do not require a response.” Office Action, p. 3. However, this statement is inconsistent with the teachings of Ogier. As noted throughout Ogier, HELLO messages are a type of message that a receiving node will acknowledge by sending a NEIGHBOR message. See, e.g., Ogier, col. 9, lines 1-4 and col. 26, lines 4-8. In other words, Ogier’s nodes are designed to acknowledge HELLO messages by sending a NEIGHBOR message. Similarly, the reliable packets described in Applicant’s specification are packets that require a response or acknowledgment. In contrast, as indicated throughout Applicant’s specification, unreliable packets are packets that do not require or result in a response or acknowledgment.

Thus, the HELLO message (which requires that a responsive NEIGHBOR message be sent) described in Ogier is a reliable message, not an unreliable message. No other portion of the cited art is relied upon to teach the “unreliable packet” of claim 1. Accordingly, claim 1 is patentable over the cited art for at least the foregoing reason.

The cited art fails to anticipate, teach, or suggest “storing an address of said network element in a neighbor pending list, in response to receiving the first unreliable packet”

To reject the feature of claim 1 quoted above, the Examiner relies upon col. 9, lines 53-60 of Ogier, stating: “Once a HELLO message is received at a network node, the node stores information related to the possible neighbor nodes.” Office Action, p. 3. The cited portion of Ogier recites:

If node i receives a message representing a link-state update, the discovery of a new neighbor node, the loss of a neighbor node, or a change in the cost of a link to a neighbor node, node i enters (step 100) the new link-state information, if any into the topology table, TT<sub>i</sub>, and forwards (step 102) the link-state information in a link-state update to the neighbor nodes in children<sub>i</sub>(src), where src is the source node at which the update originated.

Applicant first notes that the node does not appear to be storing any information at all in response to a HELLO message, since the cited section of Ogier is silent with regard to HELLO messages. Furthermore, as noted above, the HELLO message described in Ogier is a reliable message, not an unreliable message. Accordingly, the teachings of Ogier do not appear to be consistent with the Examiner’s statement that “Once a HELLO message is received at a network node, the node stores information related to the possible neighbor nodes.” Additionally, the cited portions of Ogier do not teach or suggest that the other types of messages described in the quoted passage above are unreliable messages.

Applicants further note that the topology table described in Ogier is not a neighbor pending list, as recited in claim 1. As noted in claim 1, the address of a network element is stored in the neighbor pending list in response to receiving an unreliable packet. The topology table in Ogier stores “link state information” (which, based on the cited portions of Ogier, does not appear to include address information) in response to receiving a link state update (which again, based on the cited portions of Ogier, does not appear to be an unreliable packet).

For the foregoing reasons, Ogier clearly does not teach or suggest storing an address of said network element in a neighbor pending list, in response to receiving the first unreliable

packet. Instead, the cited portions of Ogier teaches the use of reliable messages, such as the HELLO messages cited by the Examiner, as well as various actions to be taken in response to receiving different types of link state updates.

The cited portions of Perlman, both alone and in combination with the cited portions of Ogier, also fail to teach or suggest storing an address of a network element in a neighbor pending list in response to receiving a first unreliable packet. Instead, the cited portions of Perlman describe using acknowledged packets to establish connectivity. The cited portions of Perlman also fail to teach or suggest a neighbor pending list like the one recited in claim 1.

Accordingly, the cited art neither teaches nor suggests “storing an address of said network element in a neighbor pending list, in response to receiving the first unreliable packet.” For at least the foregoing reason, claim 1 is patentable over the cited art, as are dependent claims 2-15. Claims 21-65 are patentable over the cited art for similar reasons.

Applicant further disagrees with the characterization made in the rejection of claim 1: “independent claim 1 lacks guidance as to what it means to be ‘accepted’ as a neighbor because no functional step is performed currently within independent claim 1 when a neighbor node is ‘accepted.’” Office Action, p. 4. Applicant notes that claim 1 recites the affirmative act of accepting, and that this act is clearly a functional operation. Furthermore, Applicant’s disclosure provides many examples of how a neighbor node is “accepted.” *See e.g.*, Specification, p. 5, lines 10-26 and p. 8, lines 27-28.

Claims 16-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ogier in view of Perlman and further in view of Saleh, et al., U.S. Patent No. 6,856,627 B2 (Saleh). Applicants respectfully traverse this rejection.

With respect to claim 16, the cited art fails to anticipate, teach, or suggest a network device wherein: “said central processing module is configured to store an address of said network element in said neighbor pending list while said network element is in a process of establishing said bi-directional connectivity with said system.” The Office Action cites the portions of Ogier and Perlman cited in the rejection of claim 1 as teaching this feature of claim 16. Office Action, p. 8.

As noted above with respect to claim 1, the cited portions of Ogier and Perlman, both alone and in combination, fail to teach or suggest a neighbor pending list. Furthermore, neither reference teaches or suggests using such a neighbor pending list to store addresses while bi-directional connectivity is being established. For at least this reason, claim 16 is patentable over the cited art, as are dependent claims 17-19.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5087.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 19, 2006.

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Attorney for Applicants Date of Signature

Respectfully submitted,



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